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APPLICATION NO.

10/784,125

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2123

Please find below and/or attached an Office communication concerning this application or proceeding.

FIRST NAMED INVENTOR

Douglas J. Koslow

The time period for reply, if any, is set in the attached communication.

01/15/2008

|   | Application No.   | Applicant(a)   |  |  |
|---|---|--|--|--|
|   | Application No.   | Applicant(s)   |  |  |
|   | 10/784,125  | KOSLOW ET AL.  |  |  |
| Office Action Summary   | Examiner  | Art Unit   |  |  |
|   | Mary C. Jacob   | 2123   |  |  |
| The MAILING DATE of this communication app<br>Period for Reply  | pears on the cover sheet with t   | he correspondence address                                  |  |  |
| A SHORTENED STATUTORY PERIOD FOR REPL' WHICHEVER IS LONGER, FROM THE MAILING D.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period of the provision | ATE OF THIS COMMUNICAT 36(a). In no event, however, may a reply will apply and will expire SIX (6) MONTHS a cause the application to become ABAND | From the mailing date of this communication.               |  |  |
| Status  |   |  |  |  |
| 1) Responsive to communication(s) filed on <u>27 November 2007</u> .  |   |  |  |  |
| 2a) This action is <b>FINAL</b> . 2b) ⊠ This  | , —   |  |  |  |
| 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is  |   |  |  |  |
| closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.   |   |  |  |  |
| Disposition of Claims   |   |  |  |  |
| 4) ☐ Claim(s) 1-38 is/are pending in the application 4a) Of the above claim(s) is/are withdra  5) ☐ Claim(s) is/are allowed.  6) ☐ Claim(s) 1-38 is/are rejected.  7) ☐ Claim(s) is/are objected to.  8) ☐ Claim(s) are subject to restriction and/or   | wn from consideration.  |  |  |  |
| Application Papers  |   |  |  |  |
| 9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Example 11.   | epted or b) objected to by a drawing(s) be held in abeyance. tion is required if the drawing(s) if  | See 37 CFR 1.85(a).<br>s objected to. See 37 CFR 1.121(d). |  |  |
| Priority under 35 U.S.C. § 119  |   |  |  |  |
| <ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>  |   |  |  |  |
| Attachment(s)   |   |  |  |  |
| 1) Notice of References Cited (PTO-892)   | 4) Interview Sum  |  |  |  |
| <ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO/SB/08)</li> <li>Paper No(s)/Mail Date 12/10/07.</li> </ul>  |   | lail Date<br>mal Patent Application                        |  |  |

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### **DETAILED ACTION**

1. The response filed 11/27/07 has been received and considered. Claims 1-38 have been presented for examination.

### Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/27/07 has been entered.

## Claim Rejections - 35 USC § 112

3. The rejections of claims under 35 U.S.C. 112, second paragraph recited in the 8/27/07 Office Action not repeated below, have been withdrawn in view of the amendments to the claims filed 11/27/07 and in view of further consideration in response to Applicant's remarks, filed 11/27/07.

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## Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

- 5. Claims 28, 30, 33, 34, 37 and 38 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
- 6. Claims 28 and 30 recite functional descriptive material and therefore, is directed to non-statutory subject matter. The claims are directed to "a system for simultaneous debugging of an electrical design" and "a system for processing a design that is based upon multiple programming languages" and further recite "means for" language without any hardware elements set forth (for example, a processor or memory). Because the specification, specifically paragraph 0040, last sentence, leads to the conclusion that the claimed "means" appear to cover at least one software embodiment, and the claim does not set forth any hardware elements to show that the claim is directed only to a hardware embodiment, the claim is interpreted to cover a software embodiment. Therefore the claims are interpreted to recite functional descriptive material only, and therefore, are directed to non-statutory subject matter.

# Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 8. Claims 1-7, 12, 13, 15-17, 27, 28, 31-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollander (US Patent 6,182,258).
- As to Claims 1, 27 and 28, Hollander teaches: a method for debugging an 9. electrical design (column 10, lines 39-43, lines 50-58; column 11, lines 2-5) having both an HDL portion (Figure 5, element 170; column 10, lines 35-36) and a general programming language portion (Figure 5, elements 172, 163; column 10, lines 24-28), comprising: interrupting a simulator that operates upon the HDL portion to allow for debugging of the HDL portion (column 5, lines 44-48; column 9, lines 12-13; column 10, lines 35-36 and lines 50-56), the simulator interrupted by an external debugger (column 5, lines 44-48; column 10, lines 44-50; Figure 6, element 90, "Stop on errors", "Breakpoints"), the external debugger debugging the general language portion (column 10, lines 24-28 and 50-61; column 11, lines 2-16); handling a simulator request with the external debugger for the simulator that is interrupted, the external debugger calling a request processing function at the simulator, the simulator request for simulation of the HDL (column 5, lines 44-48; column 9, lines 58-65; column 10, lines 43-50; column 11, lines 6-13; Figure 6, element 90, "Continue", "Return"); executing the request processing function at the simulator to respond to the simulator request (column 9, lines 58-65; column 10, lines 47-49); and generating debug results based upon executing the request processing function and storing the debug results in a computer-readable

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medium (column 9, lines 21-24; column 10, line 65-column 11, line 11; Figure 1, element 24).

- 10. As to Claims 2, 31 and 33, Hollander teaches: the simulator request accesses a portion of the HDL portion (column 7, lines 27-28; column 13, lines 38-41).
- 11. As to Claim 3, Hollander teaches: the simulator request accesses HDL signal values (column 9, lines 58-65).
- 12. As to Claim 4, Hollander teaches: the simulator request accesses HDL design hierarchy (column 7, lines 27-30; column 9, lines 59-65).
- 13. As to Claim 5, Hollander teaches: the simulator request operates simulator functionality (column 9, lines 59-65; column 10, lines 46-49Figure 6, element 90, "continue", "stop on errors", "breakpoints").
- 14. As to Claims 6, 32 and 34, Hollander teaches: the general programming language portion comprises C, C++, or SystemC code (Hollander: column 10, lines 27-28).
- 15. As to Claim 7, Hollander teaches: the HDL portion comprises VHDL or Verilog (Hollander: column 6, lines 37-39 and lines 61-63; column 10, lines 34-35).
- 16. As to Claim 12, Hollander teaches: the simulator request is generated at a simulator GUI (Hollander: column 10, line 59-column 11, line 8, Figure 6, element 90).
- 17. As to Claim 13, Hollander teaches: the response to the simulator request is displayed at the simulator GUI (Hollander: column 10, line 59-column 11, line 8, Figure 6).

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- 18. As to Claims 15, Hollander teaches: the simulator request is routed through a debugger GUI for the external debugger (Hollander: column 10, line 59-column 11, line 8, Figure 6).
- 19. As to Claim 16, Hollander teaches: the simulator request is directly routed to the external debugger (Hollander: column 10, line 59-column 11, line 8, Figure 6).
- 20. As to Claim 17, Hollander teaches: the request processing function is set up ahead of time at the simulator to handle anticipated simulator requests (Hollander: column 5, lines 44-48; column 11, lines 6-8).

## Claim Rejections - 35 USC § 103

- 21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

- 22. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollander as applied to claim 1 above, in view of Chan (US Patent 6,466, 898).
- 23. Hollander teaches a method for simultaneous debugging of an electrical design wherein a simulator request is handled with an external debugger, the external debugger calling a request processing function at a simulator, the simulator request for simulation of the HDL portion of the design.
- 24. Hollander does not expressly teach (claim 8) the action of having the external debugger call the request processing function is based upon recognition of a waiting simulator request, (claim 9) recognition of the waiting simulator request is based upon a message sent to the external debugger, (claim 10) recognition of the waiting simulator request is based upon a periodic check of a simulator request wait queue, (claim 11) recognition of the waiting simulator request is based on whether a threshold number of simulator requests are waiting in a simulator request wait queue.
- 25. Chan teaches a novel concurrent, multi-threaded algorithm to accelerate the execution of logic simulation of HGL designs that supports both VHDL and Verilog HDL design languages in a single platform (column 4, lines 5-16), wherein the execution of logic simulation events includes wherein (claim 8) the call of a request processing function is based upon recognition of a waiting simulator request (column 7, lines 1-7, lines 32-39; Figure 3, element 14), (claim 9) wherein the recognition of the waiting simulator request is based upon a message sent to the logic simulation program (column 7, lines 1-7, lines 32-39; Figure 3, element 14), wherein (claim 10) recognition of the waiting simulator request is based upon a periodic check of a simulator request

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wait queue (column 7, lines 1-7, lines 32-46; Figure 3, element 14), and wherein (claim 11) recognition of the waiting simulator request is based on whether a threshold number of simulator requests are waiting in a simulator request wait queue (column 20, lines 55-66; Figure 17, element 89).

- 26. Hollander and Chan are analogous art since they are both directed to the simulation of a HDL design.
- 27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for simultaneous debugging of an electrical design wherein an external debugger calls a request processing function at a simulator as taught by Hollander to further include wherein the call of a request processing function is based upon recognition of a waiting simulator request, wherein the recognition of the waiting simulator request is based upon a message sent to the logic simulation program, wherein recognition of the waiting simulator request is based upon a periodic check of a simulator request wait queue, and wherein recognition of the waiting simulator request is based on whether a threshold number of simulator requests are waiting in a simulator request wait queue as taught in Chan since Chan teaches a novel concurrent, multi-threaded algorithm to accelerate the execution of logic simulation of HGL designs that supports both VHDL and Verilog HDL design languages in a single platform (column 4, lines 5-16).

- 28. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hollander as applied to claim 1 above, in view of Stallman et al ("Debugging with GDB: The GNU Source-Level Debugger", January 2002, book summary, obtained on www.gnu.org).
- 29. As to Claim 14, Hollander teaches an external debugger debugging the general programming language portion of a design, the external debugger calling a request processing function at the simulator.
- 30. Hollander does not expressly teach: the external debugger is a gdb debugger.
- 31. Stallman et al teaches the gdb, the GNU source level debugger that supports C and C++ among other languages, allows a designer to see what is going on inside a program while it executes or what a program was doing the moment it crashed and allows a designer to catch bugs in a program by: starting the program and specifying anything that might effect the program's behavior, making the program stop under specified conditions, examining what happened when the program stopped and allowing the designer to experiment with changes to see what effect they have on the program (paragraphs 1-3, bullets 1-4).
- 32. Hollander and Stallman et al are analogous art since they are both directed to the debugging of a general programming language portion of a design.
- 33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the external debugger debugging the general programming language portion of the design as taught in Hollander to include the external debugger being a gdb debugger since Stallman et al teaches that a gdb

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debugger allows a designer to see what is going on inside a program while it executes or what a program was doing the moment it crashed and allows a designer to catch bugs in a program by: starting the program and specifying anything that might effect the program's behavior, making the program stop under specified conditions, examining what happened when the program stopped and allowing the designer to experiment with changes to see what effect they have on the program (paragraphs 1-3, bullets 1-4).

- 34. Claims 18-23, 25, 26, 29, 30, 36, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollander in view of Chan.
- 35. As to Claims 18, 29 and 30, Hollander teaches: a method for processing of a design (column 10, lines 39-43, lines 50-58; column 11, lines 2-5) that is based upon multiple programming languages, the multiple programming languages comprising a first language portion (Figure 5, element 170; column 10, lines 35-36) and a second language portion (Figure 5, elements 172, 163; column 10, lines 24-28), in which processing of the second language portion interrupts processing of the first language portion (column 5, lines 44-48; column 10, lines 12-13, lines 44-50), the method comprising: processing the second language portion of the design causing an interruption of processing for the first language portion (column 5, lines 44-48; column 10, lines 12-13, lines 44-50); indicating a need for processing of the second language portion to call a request processing function at the first language portion (column 9, lines 58-65; column 10, lines 44-50); having the processing of the second language portion call a request processing function at the first language portion that has been interrupted

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(column 5, lines 44-48; column 9, lines 58-62; column 10, lines 43-50; Figure 6, element 90, "Continue"); executing the request processing function at the first language portion (column 9, lines 58-65; column 10, lines 47-49); and generating processing results based upon executing the request processing function and storing the processing results in a computer-readable medium (column 9, lines 21-24; column 10, line 65-column 11, line 11; Figure 1, element 24).

- 36. Hollander does not expressly teach: determining whether there are one or more waiting requests for processing of the first language portion.
- 37. Chan teaches a novel concurrent, multi-threaded algorithm to accelerate the execution of logic simulation of HGL designs that supports both VHDL and Verilog HDL design languages in a single platform (column 4, lines 5-16), wherein event-driven logic simulation, as known in the art and by the invention as taught in Chan, includes determining whether there are one or more waiting requests for processing of a portion of the mixed language design (column 7, lines 1-7, lines 32-39; Figure 3, element 14; Figure 8, element 42).
- 38. Hollander and Chan are analogous art since they are both directed to the simulation of a mixed language design.
- 39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the simultaneous processing of a design based on multiple programming languages as taught by Hollander to further include determining whether there are one or more requests waiting for processing a portion of the design as taught in Chan since Chan teaches a novel concurrent, multi-threaded algorithm to

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accelerate the execution of logic simulation of HGL designs that supports both VHDL and Verilog HDL design languages in a single platform (column 4, lines 5-16) and further teaches that event driven simulation, as known in the art, includes determining whether there are one or more waiting requests for processing of a portion of the mixed language design (column 7, lines 1-7, lines 32-39; Figure 3, element 14; Figure 8, element 42).

- 40. As to Claim 19, Hollander in view of Chan teach: the one or more waiting requests are for accessing data from the first language portion of the design (Hollander: column 5, lines 44-49; column 9, lines 58-65).
- 41. As to Claims 20, 36 and 38, Hollander in view of Chan teach: the one or more waiting requests are for debugging the first language portion (Hollander: column 4, lines 45-47; column 5, lines 39-50; column 9, lines 58-65; column 10, lines 43-61).
- 42. As to Claim 21, Hollander in view of Chan teach: the act of determining whether there are one or more waiting requests for processing of the first language portion is based upon a message sent to a debugger for the processing of the second language portion (Hollander: column 10, lines 24-28 and 50-61; column 11, lines 2-16; Chan: column 7, lines 1-7, lines 32-39; Figure 3, element 14).
- As to Claim 22, Hollander in view of Chan teach: the act of determining whether there are one or more waiting requests for processing of the first language portion is based a periodic check of a request wait queue for the first language portion (Chan: column 7, lines 1-7, lines 32-46; Figure 3, element 14).

- As to Claim 23, Hollander in view of Chan teach: the act of determining whether there are one or more waiting requests for processing of the first language portion is based on whether a threshold number of simulator requests are waiting in a request wait gueue (Chan: column 20, lines 55-66; Figure 17, element 89).
- 45. As to Claim 25, Hollander in view of Chan teach: processing the second language portion comprises debugging the second language portion (Hollander: column 10, lines 24-28, lines 39-42, lines 54-56; column 10, line 67-column 11, line 5; Chan: column 10, lines 37-42).
- 46. As to Claim 26, Hollander in view of Chan teach: the request processing function is set up ahead of time to handle anticipated requests (Hollander: column 5, lines 44-48; column 11, lines 6-8).
- 47. Claims 24, 35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollander in view of Chan as applied to claim 18 above, further in view of Stallman et al.
- 48. Hollander in view of Chan teach a method for simultaneous processing of a design that is based upon multiple programming languages that includes handling one or more waiting requests for processing of a first language portion by having the processing of a second language portion call a request processing function at the first language portion that has been interrupted.

- 49. Hollander in view of Chan does not expressly teach: the request processing function is called by a gdb debugger.
- 50. Stallman et al teaches the gdb, the GNU source level debugger that supports C and C++ among other languages, allows a designer to see what is going on inside a program while it executes or what a program was doing the moment it crashed and allows a designer to catch bugs in a program by: starting the program and specifying anything that might effect the program's behavior, making the program stop under specified conditions, examining what happened when the program stopped and allowing the designer to experiment with changes to see what effect they have on the program (paragraphs 1-3, bullets 1-4).
- 51. Hollander in view of Chan and Stallman et al are analogous art since they are directed to the debugging of a general programming language portion of a design.
- 52. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handling of one or more waiting requests for processing of the first language portion by having the processing of the second language portion call a request processing function at the first language portion that has been interrupted as taught in Hollander in view of Chan to include the request processing function is called by a gdb debugger since Stallman et al teaches that a gdb debugger allows a designer to see what is going on inside a program while it executes or what a program was doing the moment it crashed and allows a designer to catch bugs in a program by: starting the program and specifying anything that might effect the program's behavior, making the program stop under specified conditions, examining

what happened when the program stopped and allowing the designer to experiment with changes to see what effect they have on the program (paragraphs 1-3, bullets 1-4).

# Response to Arguments

- 53. Applicant's arguments filed 11/27/07 have been fully considered but they are not persuasive.
- 54. Applicant argues that the rejection of claim 30 under 35 U.S.C. 101 should be withdrawn (page 9). The Examiner holds that this rejection is proper, as repeated above.
- 55. Applicant argues that the cited sections of Hollander do not disclose "the external debugger calling a request processing function at the simulator" (pages 9-11). The cited sections of Hollander disclose that the a co-verification request is sent from the external program, to the invention, 166, wherein the invention executes the appropriate functions and returns the results to the external program (column 10, lines 43-50), therefore, the *invention*, 166, is communicating with the simulator, 170. Hollander teaches that the invention interfaces with the simulator, can drive or sample simulator signals, and can call Verilog tasks or VHDL procedures (column 9, lines 58-65). Hollander further teaches that the invention is used to debug designs (column 5, lines 40-45, column 11, lines 6-16 and as shown in Figure 6, element 90). Therefore, the simulator is interrupted by the invention, that is, a debugger, which is external to the simulator.
- 56. Applicant argues that Chan does not teach determining whether there are one or more waiting requests for processing of the first language portion and indicating a need

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for processing of the second language portion to call a request processing function at the first language portion, specifically, since "Chan does not indicate a need for processing of the second portion to call a request processing function..." (pages 11-12). This limitation of "indicating a need..." is directed to a limitation that has been amended into the claim language. As such, the Examiner has treated this limitation as taught by Hollander, as cited above in the rejections of the claims. As to the "determining whether there are one or more waiting requests", the Examiner cited sections of Chan which teach this limitation (column 7, lines 1-7 and lines 32-39; Figure 3, element 14; Figure 8, element 42) since Chan teaches that, if events are determined to be pending, the simulator will process the signal events then logic gate events. Therefore, the Examiner asserts that Chan discloses the limitation of "determining whether there are one or more waiting requests for processing" in a simulation.

#### Conclusion

- 57. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 58. Moore et al (US Patent 7,017,097) teach an apparatus used to simultaneously simulate a device and a model of the device during a test, including an interface device configured to receive a plurality of device signals generated by the device in response to the test signals.
- 59. Fummi et al ("Native ISS-SystemC Integration for the Co-Simulation of Multi-Processor SoC", Proceedings of Design, Automation and Test in Europe Conference

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and Exhibition, 16-20 February, 2004, Volume 1, pages 564-569) teaches two co-simulation methodologies based on SystemC as hardware modeling language and an Instruction Set Simulator (ISS) as a model of a processor, the first one works at the SystemC kernel level and exploits potentialities of the GNU suite, and the second uses features offered by the operating system working on the ISS.

Martionelle et al ("Mixed Language Design Data Access: Procedural Interface Design Considerations", Proceedings of the 2000 VHDL International Users Forum Fall Workshop, 18-20 October 2000, pages 95-99) teaches different approaches to and describing the solution to developing a Verilog/VHDL language interface.

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61. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Mary C. Jacob whose telephone number is 571-272-6249. The examiner

can normally be reached Tuesday-Thursday, 7AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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Mary C. Jacob Examiner AU2123

MCJ 1/8/08 PAUL RODRIGUEZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
TECHNOLOGY